

RICHMOND POLICE DEPARTMENT



11-20
**MAJOR CRIMES DIVISION
OPERATING MANUAL**

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Chief of Police or Designee

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STRUCTURE AND COMMAND

The Major Crimes Division is commanded by one Captain who reports to the Major in charge of Support Services. The Division is split into three sections; the Homicide Unit, Forensics Unit and the Major Crimes Unit. Each section is led by one Lieutenant.

Within the Homicide Unit are five Homicide Teams (Teams “A” through “D”) and one Cold Case / Police Shooting Team. Each Homicide Team consists of four Detectives led by one Detective Sergeant. The Homicide Teams investigate all crimes involving deaths.

The Forensics Unit provides forensic evidence collection and examination services at the scene of all homicides and other crimes as directed. They construct and maintain fingerprint and photographic files accessible to all Department investigative personnel. The Forensics Unit is divided into two Teams, each supervised by one Detective Sergeant. The teams are staffed by Detectives and Crime Scene Technicians.

The Major Crimes Unit consists of the Youth and Family Crimes Team, the Major Crimes Team, and two Aggravated Assault / Sex Crimes Teams. The Youth and Family Crimes Team, led by a Detective Sergeant, investigates all crimes involving juvenile victims and perpetrators, crimes upon family members by family members and missing persons. The Major Crimes Team is supervised by the Administrative Sergeant for the Division. Included is the Fugitive Team, which handles extradition matters and works with the US Marshal’s Service in the Richmond Area Fugitive Task Force. Other Major Crimes teams include Arson, the Pawn Shop Investigator / Report Screener, Permits and Inspections and the Warrant Car. The two Aggravated Assault / Sex Crimes Teams are led by one Detective Sergeant. These teams investigate aggravated assaults and sexual assaults. The Financial and Technology Crimes Team is supervised by one Detective Sergeant. The Major Crimes Division also has a civilian administrative support staff supervised by one Program Manager.. The Program Manager also oversees victim services and permits issues.

DIVISION GOALS AND OBJECTIVES

The Major Crimes Division is committed to our primary goal of reducing violent crime while engaging the community and solving problems. Our objectives include thorough investigation of violent crime and the apprehension of violent criminals while focusing on the following priorities: Morale, Communication, Coordination, Organization, Documentation, Consistency, Connectivity and Elevation.

SECTION A

ADMINISTRATIVE PROCEDURES

REPORTING FOR DUTY

PURPOSE:

To establish uniform sickness and tardiness policies for Major Crimes Division personnel.

POLICY:

It is the policy of the Major Crimes Division that all personnel will report for duty at the appointed place and time, properly attired and with all required equipment. This policy is designed to ensure fairness and consistency throughout the Division.

MARKING SICK:

Major Crimes Division personnel shall contact their immediate supervisor or, in the immediate supervisor's absence, any on-duty Major Crimes Division supervisor at least one hour before the sick employee's scheduled work time to mark sick. When an employee is out sick for three or more consecutive workdays, that employee must present documentation from a physician upon return to work.

TARDINESS:

Major Crimes Division personnel are expected to report to work on time. When Division personnel become aware of circumstances that will prevent them from reporting on time, they shall contact their immediate supervisor to advise them of the reason for the delay and their anticipated arrival time. In the immediate supervisor's absence, the late employee shall contact any on-duty Major Crimes supervisor. The employee's immediate supervisor shall review each incidence of tardiness and determine whether the tardiness will be excused or unexcused. Excused tardiness may include emergencies and other situations beyond the employee's control. Unexcused tardiness may include arriving late without contacting a supervisor and failure to plan for reasonable delays.

Supervisors will document each instance of tardiness. Documentation shall include scheduled reporting time, actual arrival time, reason for tardiness, which supervisor was contacted in advance, and whether the incident will be classified excused or unexcused. The second (and all subsequent) incidence of unexcused tardiness within a twelve-month period will require the employee to write a letter to their immediate supervisor explaining the reasons for the tardiness and steps being taken to prevent future occurrences. The immediate supervisor shall conduct an informal counseling session.

A third event of unexcused tardiness will require a formal counseling by the immediate supervisor and a letter from the supervisor through channels to the Division Captain explaining

the problem and the steps taken to correct the late behavior. All subsequent incidents will be written up and forwarded for appropriate disciplinary action.

DUTIES OF THE ADMINISTRATIVE SERGEANT

- Review the Noteworthy Reports, Incident Reports and other relevant information.
- Conduct Division roll calls.
- Maintain inventory of Division vehicles and equipment.
- Assist support personnel with telephone inquiries and information dissemination.
- Supervise Fugitive Team, Arson, Screener/Pawnshop, Permits and Inspections, and the Warrant Car.
- Handle administrative duties as directed by the Major Crimes Unit Lieutenant.

CASE FOLDER PREPARATION

PURPOSE: To establish procedures for the construction and maintenance of a permanent case folder for all assigned cases.

The case file will normally include, but will not be limited to:

- Incident Based Report (IBR) and supplements.
- Arrest sheet(s).
- Major Crimes Division Investigative Summary.
- Report of significant arrest.
- Suspect Information Sheet.
- Person of Interest Information Sheet.
- Canvas results.
- 911 tapes and transcriptions.
- All suspect and witness statements.
- Miranda Waiver.
- Criminal history information on all suspects and witnesses.
- Forensics and laboratory reports.
- Photographs.
- Copy of search warrants and affidavits.
- Case disposition form.

CASE MANAGEMENT

PURPOSE: To establish a procedure for management and review of cases in the Major Crimes Division.

How reports are assigned:

Supervisors review Incident Based Reports (IBR) each morning and assign them to individual detectives.

When a detective responds to a crime scene, including weekends and evenings, the detective will be assigned the report for that offense unless there is some reason to assign the case to a different detective. The detective working day shift on weekends and holidays will review all Incident Based Report (IBR)s, and assign to himself /herself those reports which should not wait until the next duty day.

IBR Case Management Supplement Reports / Ten-day Rule

Detectives must complete an IBR supplement in the Case Management side of PISTOL for each assigned investigation. The initial supplement shall be completed within ten days of receiving the report. A supplement will be completed each time there are substantive developments in a case. The supplement must outline the detectives' actions on the case, and recommend a disposition.

Case dispositions:

- *Cleared by arrest* - At least one individual has been arrested for the offense. Supplement must contain name, DOB, address, etc. of arrested party.
- *Pending* - Case is still open, whether the investigation is active or inactive.
- *Warrant on File* - Cases where a warrant is on file will remain *Pending – Warrant Obtained* until the warrant is served. A follow-up supplement shall be completed when the warrant is served and the Status in Case management will be changed to *Cleared by Arrest*.
- *Unfounded* - The investigation indicates that the offense did not occur.
- *Exceptional Clearance* - The identity of the suspect is known, but something prevents the arrest. The answer must be "yes" to all four of the below questions:
 - Has the investigation definitely established the identity of the offender?
 - Is there enough information to support an arrest and to turn over to the court for prosecution?
 - Do you know the exact location of the offender so that you could take him into custody now?

- Is there some reason outside police control that stops you from arresting, charging, and prosecuting the offender?

Examples of *exceptional clearances* are cases where: the suspect is known but the victim refuses to cooperate in the prosecution; the suspect is known but is outside the jurisdiction and extradition is denied; the suspect is deceased; or the suspect is known but the charge will not be prosecuted due to plea bargains, etc. In all cases of *exceptional clearance*, the supplement must specify whether the known suspect is an adult or a juvenile. Natural Deaths are cleared *Death of the Offender*.

Misdemeanor Warrant Advised

These cases have a known suspect and are "outside police control" because they occurred outside the presence of the police officer and it is up to the victim to take the initiative to obtain the warrant; therefore these cases DO meet the requirements for "Exceptional Clearance."

Updating Incident Based Reports (IBR)

When the status of a case changes, detectives will complete an updated supplement in PISTOL Case Management recommending the change in status. The supervisor will review the supplement in Case Management and ensure that the Status is changed in PISTOL.

Major Crimes Incident Reports

Detectives in all homicides, life threatening firearm related aggravated assaults and child deaths will compile a Major Crimes Incident Report followed by 24, 48 and 72 hour updated Incident Reports. A case review will be conducted after the 72 hour update report is completed to ensure that all aspects of the case are followed up. Major Crimes will coordinate these meetings to include sector lieutenants and representatives from any affected areas, ie.. narcotics, VCIT, and RRHA,

Attachments

All attachments (Incident Reports, forms, photographs, recordings, etc.) will be saved on the Case Management side of PISTOL to restrict access. Major Crimes Detectives will not attach files to the Incident side of PISTOL, as these files are available to all PISTOL users.

Supervisory Review of Cases

Supervisors will review all completed investigations for thoroughness, and will review all reports for completeness and accuracy. When supplements are reviewed, supervisor's name, date and time reviewed will be entered in PISTOL Case Management. Supervisors will make sure that Case Management is updated to show the appropriate case status.

Records Retention / File Purging

All Case File Folders and information prepared by officers and detectives in furtherance of their official duties are the property of the Richmond Police Department. Electronic files shall be kept current and maintained in the Department's PISTOL database. Paper case files will be maintained by the detective until such time that he/she files the case folder in the Major Crimes File room. Pursuant to the State Records Retention and Disposition Schedule No. 17, Law Enforcement Records – Case Investigation Files are to be retained for 5 years after the close of an investigation. Officers shall not purge any file before all possible criminal appeals have been adjudicated.

Officers shall not take any case file folders files with them when they separate from the Department. Case File Folders shall be submitted to the officer's immediate supervisor.

PROTECTION OF CONSTITUTIONAL RIGHTS DURING INTERVIEWS

PURPOSE: To establish a Major Crimes Division Policy protecting the individual Constitutional Rights of every suspect during the investigation of a criminal offense.

Any individual detained by Major Crimes Division personnel for custodial interrogation will be advised of his/her Constitutional Rights as set forth in Miranda vs. Arizona. These Miranda warnings will be recorded on DVD. The entire duration of the interview shall be recorded with no exceptions.

The Detective questioning the suspect will ensure that the suspect is properly advised, and makes a knowing and intelligent waiver of his rights, prior to any questioning.

Execution of the Notification of Rights Form (PD-75) will serve as evidence that a suspect knowingly, voluntarily, and intelligently waived his rights.

Reading the admonition stated on the Notification of Rights card (PD-74A) will also meet the requirement, but the burden will fall on the detective to establish that the defendant understood the warning, and made a knowing, voluntary, and intelligent waiver.

Under no circumstances will questioning continue after a suspect invokes his right to remain silent, or his right to counsel, until the suspect is allowed to confer with his counsel.

If, during the initial interview, after admonition of his rights, the suspect admits or confesses to an unrelated crime, the detective will give additional rights admonition for that specific crime. The detective will ensure that the suspect makes a knowing, voluntary, and intelligent waiver of his rights for the unrelated crime.

HANDLING EVIDENCE

PURPOSE: To ensure that evidence is handled and stored properly in Major Crimes Division.

No evidence of any type will be stored in any desks, filing cabinets, vehicles, etc., All evidence will be properly preserved, packaged, and turned into the property section or turned over to forensic personnel immediately.

Detailed procedures for handling property and evidence are set forth in General Order 3-12. Members of Major Crimes Division will adhere to those guidelines.

SEALING A SEARCH WARRANT

PURPOSE:

There are times when Department members will need to seal a search warrant. Section 19.2-54 of the Code of Virginia allows a search warrant to be sealed if good cause is shown. These good causes may include but are not limited to protecting cooperating witnesses from immediate danger or threats of violence, disclosure of the affidavit might cause the destruction of evidence and protecting the integrity of the investigation until it is completed or an arrest has been made.

PREFERRED GUIDELINES FOR SEALING A SEARCH WARRANT:

1. The officer/detective will write the affidavit and search warrant (See PD-Forms on the X-Drive for Affidavit for Search Warrant and Search Warrant).
2. The officer/detective will take the affidavit and search warrant to the Commonwealth's Attorney's Office (see the below list of Commonwealth's Attorneys and the crimes they prosecute).
3. The Commonwealth's Attorney will prepare the sealed order.
4. The officer/detective and the Commonwealth's Attorney will take affidavit, search warrant, and sealed order to a Circuit Court judge.
5. The officer/detective and the Commonwealth's Attorney will take the affidavit, search warrant, and sealed order to the Circuit Court Clerk's Office.
6. After business hours, the officer/detective will notify the Commonwealth's Attorneys on the below list (according to the crimes they prosecute) and arrangements will be made with a Circuit Court judge.
7. Questions regarding this procedure should be directed to Supervising Assistant Commonwealth's Attorney Elizabeth A. Hobbs at (804) 646-3530 or (804) 241-7707.

List of Commonwealth's Attorneys and Crimes Prosecuted

1. Deputy Commonwealth's Attorney Tracey W. Thorne-Begland (aggravated assaults)

2. Supervising Assistant Commonwealth's Attorney Elizabeth A. Hobbs (for information or questions)
3. Supervising Assistant Commonwealth's Attorney Traci B. Miller (for information or questions)
4. Supervising Assistant Commonwealth's Attorney John C. Bullard (narcotics)
5. Supervising Assistant Commonwealth's Attorney Toni M. Randall (sex crimes)
6. Supervising Assistant Commonwealth's Attorney Stephanie E. Merritt (firearms and exile cases)

LIAISON WITH OTHER AGENCIES

PURPOSE:

To establish operational procedures for a close working relationship between the Richmond Police Department Major Crimes Division and other law enforcement agencies. To establish guidelines concerning investigation of criminal offenses, the apprehension of wanted persons and to develop procedure for cooperative police efforts.

PROCEDURE, CRIMINAL INVESTIGATIONS:

During the course of a criminal investigation if the assigned Detective determines a suspect wanted for questioning or for whom a warrant has been obtained has relocated to another jurisdiction the Detective shall:

IF THE SUSPECT IS LOCATED WITHIN ADJOINING JURISDICTIONS, CHESTERFIELD, HANOVER OR HENRICO COUNTIES:

If the Detective must enter another jurisdiction in order to interview a suspect,

- Notify a Major Crimes Division Supervisor of your intentions.
- Contact the county dispatcher and request a police unit to meet and accompany you to the location of the interview.
- Follow Department radio procedure when leaving the City.
- Identify yourself with badge and identification card as a Police Detective from the City of Richmond, Virginia.
- Remain in the presence of the law enforcement representative of the county until all official business is completed.
- If the circumstances of the case demand a warrant must be executed immediately, do not attempt to execute any legal paper outside of the City of Richmond Virginia without the assistance of local authorities. Follow the steps above to obtain assistance, and to ensure that the requirements of Va. Code 19.2-76 are met.

OVERTIME CONTROL

PURPOSE:

To establish guidelines for the use, control and reporting of overtime worked.

PROCEDURE:

Overtime (working beyond normal working hours) will be regulated in accordance with City and Department guidelines.

When Department business makes it necessary to work beyond normal working hours, the employee's immediate supervisor must approve the overtime in advance. (In the case of a supervisor working overtime, it will become necessary for his/her supervisor to approve it in advance.) The employee working overtime will then request overtime via the automated Police Officer Scheduling System (POSS), including the case number (CFS) and reason for overtime. Supervisors will review overtime requests through POSS and approve/deny same. It is imperative that all overtime worked be kept to a minimum.

All Division overtime will be reviewed by the area Lieutenant and the Division Commander via applicable POSS reports.

ROLL CALL AND STANDING MEETINGS

PURPOSE:

To account for personnel, disseminate departmental information, conduct appropriate training and share case information.

HOURS:

Major Crimes Division Roll Call will be held at 0815 hours in the Community Room on the 2nd floor of Headquarters each Monday and Wednesday.

PROCEDURES:

- The Administrative Sergeant or another supervisor will conduct roll call.
- Each supervisor will account for personnel assigned to them.
- The Noteworthy Report compiled by the Watch Commander will be summarized and relevant cases will be discussed.
- New orders, law changes, and procedures will be highlighted and discussed.
- Supervisors and detectives will be given an opportunity to exchange information regarding wanted persons, investigations and/or officer safety issues.
- Roll call training sessions will be conducted.
- Roll call will include current crime patterns and trend updates by Crime Analysis Unit.

- Supervisors will meet directly following each roll call. The function of this meeting is to plan and coordinate events for the coming week.

STANDARD INVESTIGATIVE PROCEDURE

PURPOSE:

The purpose of this section is to establish guidelines for all standard investigations.

PROCEDURES:

DOCUMENTATION

Documentation is necessary in every investigation that is conducted. It is mandatory to take investigative notes while conducting investigations. When assisting others on investigations, type-written notes are to be generated and placed in Pistol within 48 hours by every Detective involved in the investigation. This standard applies to Detectives and all supervision in Major Crimes.

Upon being issued an Incident Based Report (IBR) or otherwise assigned to conduct an investigation, each Detective shall:

CONDUCT A PRELIMINARY INVESTIGATION

- Review the report or information and contact the victim as soon as possible (the initial contact may be by telephone).
- Verify the exact location of the offense, and all listed victim, suspect and witness information.
- Try to obtain additional or omitted facts about the incident from the victim.
- If the report is assigned as a screened report, advise the victim that his report will be considered pending, and to contact the detective if any further information develops.
- Make appropriate notes on the report and return it to the supervisor.
- If the report is assigned for investigation, make an appointment with the victim in order to conduct a personal interview, and to view the scene or pick up evidence, if necessary.

MAJOR CRIMES INCIDENT REPORT

Detectives in all homicides, life threatening firearm related aggravated assaults and child deaths will compile a Major Crimes Incident Report followed by 24, 48 and 72 hour updated Incident Reports. A case review will be conducted after the 72 hour update report is completed to ensure that all aspects of the case are followed up.

CONDUCT A FOLLOW UP INVESTIGATION

- Identify and recover any physical evidence. Interview all witnesses; record and transcribe witness statements if necessary. Attempt to develop suspect information.
- Make a positive identification of any listed suspects, to include address, date of birth, social security number, height, weight, eye and hair color, etc. Obtain an arrest record and check for outstanding warrants.
- In some cases, it may be necessary to confer with the Commonwealth's Attorney's Office to determine whether probable cause exists, and whether to proceed with a warrant or a direct indictment).
- Once a warrant or an indictment has been issued, attempt to locate the suspect as soon as possible to serve the arrest paper. If you are unable to locate the suspect, place the warrant on file at the Information Desk.
- After the arrest is made, interview the suspect, and record and transcribe suspect statements as appropriate. Obtain any relevant physical evidence from the suspect.

REPORT PROCEDURE

Prepare the Detective's Supplementary IBR, to include a comprehensive narrative description of everything done during the investigation of the case, and a list of witnesses and suspects with a basic description of their statements. Complete this report and submit it for supervisory approval within ten days of receipt. Prepare and forward case folder to the Commonwealth's Attorney's Office.

PRISONER CONTROL

PURPOSE:

The purpose of this section is to establish guidelines for prisoner control within Major Crimes Division offices and Police Headquarters.

PROCEDURES:

Each prisoner brought into Police Headquarters will be escorted by no fewer than two Detectives/Police Officers at all times. Prisoners being transported through areas of the building other than Major Crimes will be properly handcuffed in the back, unless belly chains or other approved restraining devices are in use.

Within Major Crimes, prisoners will continue to be guarded by no fewer than two officers. Handcuffing in interview rooms, restrooms and other Major Crimes areas will be at the discretion of the investigating/interviewing Detective. **The safety of Department personnel, the public and those in custody is of paramount concern.**

SECTION B

MAJOR CRIMES UNIT

ARSON DETAIL

PURPOSE:

To establish an operational procedure for the Arson Detail.

ARSON DETAIL:

The Arson Detail consists of Richmond Fire Department Investigators and Richmond Police Department Detectives. The Detail is assigned to the Richmond Fire Department Fire Marshal's Office / Investigations Unit. It is the Arson Detail's responsibility to investigate all reports of undetermined origin fires, fire deaths and fire injuries. The Detail also investigates all threats to burn, bomb threats and bomb incidents (pre and post blast).

Arson Detectives monitor the fire radio and receive calls for service from their assigned channel. The Fire Department Investigators unit numbers are "Investigator" followed by their assigned numerical. Example: the Fire Captain OIC is "Investigator 1."

HOURS:

The normal working hours of the Police Detectives assigned to the arson detail are 0800 hours to 1630 hours, Monday through Friday. These hours are subject to change based upon the needs of the Arson Detail with approval through proper channels. Fire Department investigators' schedules are determined by the Fire Marshal. Each member of the unit, fire and police, will be expected to cover 24-hour stand-by on a rotating basis. All members of the unit are subject to callback.

PROCEDURE:

Upon receiving a call for service the Arson Detail Detective / Investigator shall respond immediately to the scene and make contact with the ranking fire officer in order to receive all available information concerning the incident. The Detective / Investigator will identify and record the names and addresses of any and all potential witnesses known by the fire personnel on the scene. The Detective / Investigator may conduct initial interviews with any witness present before continuing the fire investigation.

After the fire has been brought under control and the scene is secure, the Detective / Investigator shall begin a cause and origin investigation in accordance with his/her training as provided under State Department of Fire Programs / Fire Marshals Academy 1033 certifications.

If the fire is found to be incendiary in nature or maliciously set the detective / investigator will follow crime scene procedures and begin a full criminal investigation. In the event of injury, death or 2nd alarm fires or greater the Detective / Investigator shall notify the fire department arson unit supervisor, the Major Crimes lieutenant and the Arson Team sergeant. A police

supervisor will respond on all fire deaths and will coordinate any additional police resources needed. An incident report will be completed for all incidents that are deemed suspicious or involve death prior to the end of tour.

PROCESSING THE FIRE SCENE:

The Detective / Investigator shall process the fire scene in accordance with his/her training under the State Department of Fire Programs / Fire Marshal's Academy 1033 guidelines utilizing NFPA 921 as an aid. These procedures shall include, but are not limited to, the following:

- Identification, collection, protection and packaging of any physical evidence at the scene.
- Establishment and maintenance of chain-of-custody for any collected evidence.

Relinquishing control of the crime scene to either the owner of the property or fire personnel still on scene shall be completed at the appropriate time and location. This shall be done after all necessary examination, scene work and evidence gathering has been completed.

REPORTS:

The Detective / Investigator will compile a Fire Department Incident Notification Report on any arrest and/or incident involving fire fatalities, life threatening injuries, 2nd alarm fires or greater and any unusual or extraordinary events. Distribution shall include the fire department arson unit supervisor, the Major Crimes lieutenant, the Arson Team sergeant and one copy for the relevant file.

It will be the duty of the Detective / Investigator to make certain an Incident Based Report (IBR) is compiled if indicated. The IBR may be completed by the Detective / Investigator or a uniformed Richmond Police Officer on the scene. The IBR shall be reviewed and approved by a Police Department supervisor immediately (or prior to completion of the tour) and forwarded through proper channels. Investigations and reports shall be completed in accordance with the Case Management and Standard Investigative Procedures section of this Manual.

CASE SCREENING

PURPOSE: To establish procedures for screening cases which have little or no chance of being solved.

Cases which have little or no chance of being solved are "screened" and do not receive a full investigation. Serious crimes, such as homicide, rape, commercial robberies, and shootings will not normally be screened, regardless of solvability.

PROCEDURE:

The Screener, a Detective also assigned as the Pawn Shop / Gold investigator, will be assigned all simple assaults, threats of bodily harm, and missiles thrown into occupied vehicles or homes.

Assault cases will be screened for elements of domestic violence, these cases will be referred to DVERT detectives for follow up investigation.

The Screener's responsibility is to contact the victim to see if any further information can be developed. The Screener will complete an IBR supplement indicating the date and time the victim was contacted, along with any additional information developed, and will forward the case to the supervisor for review. If no additional leads are developed, the supervisor will then assign the appropriate case status in PISTOL. The Screener will make a notation on the PISTOL report supplement that the case was screened, along with any additional information developed.

If, at any time, additional leads or information is developed which may lead to the case being solved, the case will be re-assigned to a detective for a full investigation.

FUGITIVE DETAIL

PURPOSE:

To establish operating procedures for the Fugitive Detail.

FUGITIVE TASK FORCE:

- Maintain Richmond's Top Ten Most Wanted list
- Furnish a wanted subject to local television stations weekly for their broadcast. This involves a picture of the wanted person, a brief summary of the incident, the charges, and possible areas where the subject may frequent.
- Assist and participate in joint task force operations that include local, state and federal agencies whose primary objective is the apprehension of fugitives. When participating in one of these Task Forces, the Fugitive Coordinator may be granted special arrest powers by the United States Marshals Service.

FUGITIVE COORDINATOR:

The Fugitive Coordinator is responsible for all extradition matters.

DUTIES:

- Every morning, contact the Clerk's Office of the Richmond General District Court – Criminal Division to determine if any fugitive was arrested the night before or over the weekend.
- If a fugitive has been arrested, the Fugitive Coordinator will:
 - Prepare a folder for each fugitive arrested
 - Each folder will have four copies of the Waiver of Extradition

- Appear in court that morning, with the folder, for the arraignment. Have the defendant sign all four copies of Waiver of Extradition.
 - One copy is given to the defendant
 - One copy is given to the Deputy Sheriff to be kept at the city jail
 - One copy is given to the clerk of the court
 - One copy is kept in the folder
- If the defendant signs the Waiver and there are no local charges, notify the wanting jurisdiction via phone, fax, teletype, or e-mail, that they have ten days to retrieve the defendant from the Richmond City Jail. If there are local charges on the defendant, notify the wanting jurisdiction that they will have to wait for the local charges to be satisfied before retrieving the defendant.
- If the defendant refuses to sign the Waiver of Extradition, notify the wanting jurisdiction to formally begin proceedings for a Governor's Warrant. The Fugitive Coordinator will follow the case to conclusion.
- Coordinate and make arrangements for the retrieval of Richmond fugitives from other jurisdictions. The Richmond Sheriff's Department is responsible for transporting prisoners from within the Commonwealth of Virginia. It is the responsibility of the case detective to travel outside the Commonwealth to retrieve the defendant. In situations where there is no detective assigned, (contempt of court or probation violation) the Fugitive Coordinator is responsible for the retrieval of the fugitive.
- Work with the Commonwealth Attorney's Office to obtain a Governor's Warrant when a fugitive from Richmond is captured in another jurisdiction and refuses to sign the Waiver of Extradition.
- Maintain Richmond's Top Ten Most Wanted list
- Furnish a wanted subject to local television stations weekly for their broadcast. This involves a picture of the wanted person, a brief summary of the incident, the charges, and possible areas where the subject may frequent.
- Assist and participate in joint task force operations that include local, state and federal agencies whose primary objective is the apprehension of fugitives. When participating in one of these Task Forces, the Fugitive Coordinator may be granted special arrest powers by the United States Marshals Service.

The following protocols will be used regarding internal assistance from the Fugitive Task Force.

Categories of Fugitive Task Force assistance:

- **Category 1** – The wanted subject is a **key** target for apprehension by the Fugitive Task Force. The Task Force will serve as the primary Unit in achieving the successful apprehension of the wanted subject. In these situations total delegation of apprehension will be relinquished to the Fugitive Task Force. Any proactive enforcement activity or attempts to locate the subject will be coordinated with the Fugitive Task Force. This is required to ensure that we are not duplicating our efforts attempting to locate the subject.

Documented attempts to locate the wanted subject by traditional means will have been completed at the precinct or Divisional level before requesting assistance from the Task Force.

An alert will be placed in Pistol indicating that the Task Force has been delegated apprehension responsibility. If the subject is apprehended the Task Force shall be notified immediately.

- **Category 2** – Information on the wanted subject is distributed Department wide. This is completed after traditional attempts to locate the wanted party have failed. Apprehension responsibility remains with the Officer/detective that obtained the arrest warrants.

Criteria for requesting Fugitive Task Force Assistance:

All requests for **Category 1** assistance from the Fugitive Task Force shall be made through the Major Crimes Division Lieutenant. Category 1 Fugitive assistance shall be primarily limited to the following:

1. Offenders who pose an immediate threat to public safety and are wanted in connection with **violent and/or weapon related** offenses crimes.
2. Offenders who have high probability to continue engaging in criminal activity.
2. RPD's Fugitive of the Week
3. RPD's Top Ten Most Wanted

Protocol to request Fugitive Task Force assistance:

- All requests for Category 1 assistance must be channeled through and approved by the Major Crimes Lieutenant or Commander.
- Category 2 assistance will not require approval. Information on wanted parties may be distributed to Fugitive Task Force members, but apprehension of the subjects remain with the Officer/Detective that obtained the arrest warrants.

PAWN / GOLD & SILVER

PURPOSE:

To establish operating procedures for the Pawnshop, Gold and Silver investigator.

PROCEDURE:

The Pawnshop Detective is responsible for all issues regarding pawnshops, second-hand dealers, and businesses that resell precious metals. Duties include monitoring the required electronic reporting of pawned items from pawnshops, periodic inspections of pawnshops, coordinating the recovery of stolen property with law enforcement, victims and shop owners, and working with DIT and police computer personnel on automated pawnshop computer systems.

The Pawnshop Detective will make sure that the daily import procedure (transferring data from the web-based pawn reporting system to PISTOL pawn programs) is performed. The detective will monitor the previous day's transactions from each pawnshop, gold and silver dealer, and second-hand dealer. This data must include the name, DOB, social security number and address of the individual initiating the transaction, and a description of what was pawned or sold.

The Pawnshop Detective will work with out-of-town law enforcement agencies to notify them when a person from their jurisdiction has pawned an item in Richmond, and to recover items stolen in Richmond and pawned in other jurisdictions.

Electronic copies of PISTOL pawnshop reports will be sent at least once a week to all precincts and surrounding law enforcement agencies. A more detailed report will be sent monthly to these agencies.

When a hit on a pawned or stolen item is made, the detective will adhere to the following procedures:

- Locally entered items - The Pawnshop Detective will pull the original IBR, then visit the pawn shop where the transaction was made to determine if the pawned item is the one reported lost or stolen. This can be accomplished by comparing the serial number, model, make and other descriptive markings. If the item is the same, the pawned item will be placed on hold. The owner will be notified that his/her property has been recovered, and told how to recover it.
- The Chief of Police or his designee (the Pawnshop Detective) is the only persons permitted by law to remove items from a pawn shop. If an item is removed from the pawn shop the detective will leave a signed receipt for the item, and provide the IBR case number and court date.
- Out of state items - The Pawnshop Detective will send a copy of the IBR to the jurisdiction in which the hit was made. If the item is the one reported stolen, the detective will arrange for shipping to the Richmond Police Property & Evidence Unit. He/she will attempt to contact the owner to recover the property. If the owner cannot be located, the detective will send a letter to the jurisdiction holding the evidence instructing them to destroy the property.
- Domestic items found - This is property that has been pawned by children, other relatives, or acquaintances, and the rightful owner finds the property in a pawn shop. If a

crime has not been committed, the detective will not get involved except to advise the owner of the procedure for retrieving his/her property.

A law enforcement officer may request that the Pawnshop Detective look for a specific item or for a certain individual that may attempt to pawn property. Upon receiving this information, the detective will place the suspected individual's name in the computer system or assist Richmond officers in placing a lookout in PISTOL Pawn Watch.

The Pawnshop Detective will assist citizens in locating lost or stolen property they believe may be pawned and assist citizens who have found items in pawn shops that they have reported stolen or lost.

OTHER DUTIES:

- The Pawnshop Detective will assist with resolving disagreements between pawnshop owners and citizens.
- The Pawnshop Detective will conduct frequent audits and inspections of all pawnshops and gold and silver dealers. This audit will be conducted according to state law, and will include verification of information about pawned property and persons making transactions. The detective will look for property matching the description of property reported lost or stolen.
- Once a year, the pawn shop detective will schedule a meeting with pawnshop owners and gold and silver dealers to discuss procedures, laws, data systems and suggestions for improvements in the reporting system.

YOUTH AND FAMILY CRIMES TEAM

PURPOSE: To establish operational procedures for the Youth and Family Crimes Team.

The Youth and Family Crimes Team is responsible for the investigation of offenses committed by or against juveniles. The exceptions are: death investigations involving victims older than ten years of age, shootings, stabbings, robberies, hit & run, property crimes, arson, and auto theft. The Team will investigate child abuse/neglect related homicides (i.e. shaken baby).

The Team will also be responsible for the investigation of stalking offenses that are domestic or juvenile related. All other stalking cases will be investigated by the precinct detectives.

MISSING PERSONS – SPECIAL CIRCUMSTANCES

It is the responsibility of the Youth & Family Crimes Unit to assist Field Services with coordinating the search for all persons missing under special circumstances. The search packet, compiled by Field Services, will be maintained during the life of the investigation.

RECEIPT AND INVESTIGATION OF MISSING PERSON REPORTS:

- The investigating detective will assure that his or her name is affixed to the report. Contact will be made with the complainant. If the Missing Person has returned, and there has been an NCIC entry, ensure that it is deleted immediately.
- To delete a Missing Person, compile a "Locate Form" and submit it to Teletype.

Each month the Records Section sends a master list of VCIN/NCIC entries to the Youth Services Unit for an audit. A detective will review the list. If the Missing Person has returned, the word "Delete" will be written in red ink over the entry. No *other notations will be made on the print out.*

RECEIPT AND INVESTIGATION OF CHILD PROTECTIVE SERVICES REFERRALS:

Child Protective Services workers compile referrals of complaints that may be criminal violations. The Police Department receives **(OR the response with Assigned Detective information can be e-mailed to the appropriate DSS person)** to the Child Protective Services investigator that compiled the report. The top portion of the form will be assigned to a Youth Services Unit detective for investigation.

The investigating detective will compile an Incident Based Report (IBR), if it is determined that a criminal violation occurred.

INCIDENT REPORTS AND SIGNIFICANT ARREST NOTIFICATIONS:

The detective compiling such reports will submit the original to the Unit Supervisor. The supervisor will distribute copies to the Major Crimes Division's Captain and Lieutenants.

Youth and Family Crimes Team detectives are responsible for all administrative, case management and other applicable procedures outlined elsewhere in this manual.

DOMESTIC VIOLENCE:

All cases of domestic violence shall be handled by the Domestic Violence Enforcement Response Team (DVERT). The DVERT squad is made up of detectives from the Youth and Family Crimes Team. It is their responsibility to identify high risk cases, identify offenders, make appropriate referrals and interventions, contact the Commonwealth's Attorney's Office and follow up with all victims of domestic violence.

MONTHLY REPORT:

It is the duty of the unit secretary to compile the *monthly highlight report.*

AGGRAVATED ASSAULT INVESTIGATIONS

PURPOSE: To establish operational procedures for aggravated assault investigations.

The Aggravated Assault/Sex Crimes Teams, in addition to handling sex offenses, is responsible for the investigation of all aggravated assaults (except domestic related assaults and assaults involving juveniles when a firearm is not used).

General Guidelines for Investigations

1. Respond to the scene and get a briefing from Police Officers present; or review the assigned report.
2. Interview the assault victim (if possible) and locate, separate, and interview any witnesses.
3. For complex crime scenes, request Forensics Team support. When the Forensics Team is to process the crime scene, they will be responsible for the collection of evidence.
4. When forensics support is not necessary, the detective will search for, identify, document, and recover any physical evidence, including:
 - Fingerprints
 - Firearms, bullets and cartridge cases - submit for National Integrated Ballistics Information Network (NIBIN) analysis.
 - Gunshot residue (complete Gunshot Residue [GSR] kit as appropriate)
 - Body fluids
 - Notes
 - Any other items left at the scene
 - Take photographs of the crime scene, victim's injuries, any evidence, etc.
5. Determine if there were any cameras operating in the vicinity of the crime, and recover and review any film or videotape.
6. Conduct a neighborhood/area canvas to locate any additional witnesses.
7. Confer with other officers (other detectives for similar cases; special units and beat officers who may be familiar with the area or suspects).
8. Conduct liaison with other jurisdictions and agencies to determine if they have pertinent information.
9. Contact any informants who may have information on the case.
10. Search computer databases for suspect or victim information:
 - Mugshot files
 - Fingerprint record file
 - Warrants and served warrants file
 - Narcotics Division files
 - Department of Motor Vehicles (DMV)
 - Police Records Information System Management (IBRIS) database
 - City Tax Records
 - Check other agencies' databases:
 - Social services/welfare

- Corrections Facilities
- Virginia Employment commission
- Hospitals
- Virginia power
- Verizon Telephone

12. Work with the victim and/or witnesses to make a composite likeness of the suspect from the computer sketch program. Several Major Crimes Detectives are trained in this area.
13. Submit appropriate cases to Crimestoppers for publication and reward information.
14. Make and distribute wanted posters with the suspect's information and photograph or composite likeness.
15. Maintain contact with victim and/or family and keep them advised of the progress of the investigation.
16. If all leads are exhausted and case is at a dead end, "staff" the case (meet with other detectives and supervisors to review all aspects and attempt to come up with new leads).
17. Consider the use of the Multi-jurisdictional Grand Jury to assist in the investigation (such as compelling and/or locking-in testimony from reluctant witnesses). When a possible suspect is identified, prepare photo array and/or physical line-ups for the victim and/or witnesses.
18. When a suspect is identified:
 - If the suspect is cooperative, consider a preliminary interview to obtain a confession or admissions.
 - If probable cause is established, obtain arrest warrants (or confer with the Commonwealth Attorney to determine whether the evidence is sufficient, and whether to direct indict).
 - Locate and arrest the suspect; or prepare wanted posters.
19. Once the suspect is arrested, conduct an interview to obtain a confession or admissions.
20. Attempt to locate and interview any alibi witnesses.
21. Assist the Commonwealth's Attorney's Office in preparing the case for court. Contact the victim/witness assistance office if it becomes necessary to relocate or otherwise assist witnesses.

INVESTIGATIVE SUMMARY AND CASE DISPOSITION REPORTS

An Investigative Summary Report must be completed on every aggravated assault, as well as any other significant crime. This form is also used for case updates and arrests. The Incident Report must be completed and distributed prior to ending duty. A Case Disposition Form must be completed following the final adjudication of all court cases.

SEX CRIMES INVESTIGATIONS

PURPOSE: To establish operational procedures for sex crimes investigations.

The Aggravated Assault/Sex Crimes Teams are responsible for the investigation of sex offenses, in addition to aggravated assaults. The Youth and Family Services Team will investigate sex offenses against juvenile victims.

These sex offenses will be assigned to Aggravated Assault team members who are part of the Sexual Assault Response Team (SART). Cases are assigned in this manner to attempt to identify any patterns and similarities involving sexual offenses.

General Guidelines for the Investigation of Rape/Sex Offenses

Investigator's Duties - (The patrol officer may also be the investigator)

1. Identify, locate, and arrest perpetrator.
2. Interview victim.
3. Interview witnesses.
4. Recover physical evidence (bed sheets, condoms, rags or tissues, clothing, body fluids, etc.)
5. Coordinate with medical personnel (usually the Forensic Nurse Examiner or Sexual Assault Nurse Examiner) for PERK examination. Make arrangements to take possession of the PERK kit.
6. When a suspect is arrested, make arrangements to obtain a Buccal swab.
7. Take the PERK kit and all evidence to the State Lab.

The PERK kit is not required if the rape occurred more than 72 hours ago.

In compliance with the Blind Reporting requirements a PERK will be authorized by the detective whether or not the victim wishes to prosecute the offense.

Other sexual assaults include:

- Forcible Sodomy
- Object Penetration
- Sexual Battery

Sexual assault can be by force, or by threat or intimidation. "Threat" is defined as the expression of an intention to do bodily harm. "Intimidation" is putting a victim in fear of bodily harm by domination and control (and can be psychological).
(Sutton v. Commonwealth, 228 Va. 654 [1985])

Date Rape

Date rape is a social term rather than a legal term. If the elements of the offense are there, it is a rape, regardless of what led up to it. Again, the standard is "probable cause."

"Date Rape Drugs" - Drugs such as rohypnol can be used to cause a victim to pass out and to lose memory of the period of time when under the influence of the drug. Ensure that you inform medical personnel that use of a "date rape" drug is suspected, and ask that a blood test be done on the victim within six hours of the assault as part of the PERK.

Investigative Guideline Checklist

Detectives should use the following guideline doing their investigation where applicable.

- Crime Scene Processed by: _____

Initial Victim Interview:

- Medical examination Time:
- Location:
- Examiner/SANE:
- Examiner's notes and photos picked up:
- PERK picked up by:
- Taken to property section:
- Turned into State Lab:
- Lab results received:
- Lab results filed with court:

Follow-up victim interview:

- Additional information about assault
- Witness information

Composite sketch made or photo spread:

- Wanted Posters made
- Suspect on Crimestoppers
- Sex offender registry checked for suspects
- Checked with regional (Henrico, Chesterfield, Hanover) sex crimes detectives

Suspect interview:

- Suspect PERK
- Suspect PERK to state lab.
- Prepare arrest package

Following arrest:

- Commonwealth's Attorney's folder forwarded
- Commonwealth's Attorney's pre-hearing meeting
- SANE Nurse and records summonsed to court
- Lab technician needed in court (DNA evidence, etc.)

VICTIMS' SERVICES

PURPOSE:

To establish an operational procedure for Victims' Services.

PROGRAM MANAGER'S VICTIMS' SERVICES RESPONSIBILITY:

The administrative Program Manager assigned to the Major Crimes Division acts as the liaison for victims' services, such as the Virginia Criminal Injuries Compensation Fund (CICF) and Victim/Witness advocates.

HOURS:

The normal working hours of the Program Manager is 0800 hours to 1700 hours, Monday through Friday. These hours are subject to change based upon the needs of the Division with approval through proper channels.

PROCEDURE:

In 1977, the Virginia General Assembly found that the commonwealth had a moral responsibility to help its citizens who were innocent victims of crime. The Criminal Injuries Compensation Fund (CICF) was created to pay un-reimbursed expenses of victims who suffer personal physical or emotional injury or death as a result of a crime. The Fund is administered by the Virginia Workers' Compensation Commission and receives no tax dollars from the citizens of Virginia. CICF is funded by court fees, assessments on offenders, restitution, and a federal Victim of Crime Act Grant to supplement monies available to victims of violent crime.

"The mission of the Criminal Injuries Compensation Fund is to administer the Compensating Victims of Crime Act in a compassionate, fair and efficient manner. In so doing, the Fund strives to treat every victim and survivor with dignity and respect, recognizing the tremendous impact that violent crime has upon our society."

Persons can file who have suffered personal injury, mental trauma or death directly related to a crime: this can be the victim, parent or legal guardian of minor victim, citizen trying to prevent a crime, surviving spouse, parent, grandparent, sibling or child, person legally dependent on support from deceased victim, person who paid for a victim's funeral.

The administrative Program Manager assigned to the Major Crimes Division acts as the point person for VCICF inquiries; prepares reports and obtains information from assigned officers and detectives. The required reports are then provided to the VCICF so that applications may be processed in a timely manner.

Law enforcement officers and local advocates in the Victim/Witness programs are the Fund's primary source of referrals and are the gateway to other services victims may need. The Victim/Witness advocates are normally housed in the Office of the Commonwealth's Attorney, one advocate is assigned to the Major Crimes Division.

SECTION C

HOMICIDE UNIT

HOMICIDE INVESTIGATIONS

PURPOSE: To establish operational procedures for homicide investigations.

The Homicide Teams investigate all homicides, suicides, sudden and suspicious deaths. One team is responsible for police shootings and cold homicide cases.

HOMICIDE MEETING

A Major Crimes Homicide meeting is held the first and third Wednesday of each month. This meeting is never postponed nor cancelled. All personnel assigned to Aggravated Assault, Homicide and Forensics Unit are required to attend. Homicides and Shootings for the period are reviewed. Precincts detectives cover recent Robberies in each area.

General Guidelines for Investigations

1. Respond to the scene and get a briefing from any Police Officers present; or review the assigned report.
2. Interview the assault victim (if possible) and locate, separate, and interview any witnesses.
3. For homicides and complex crime scenes, request Forensics unit support. When the Forensics Unit is to process the crime scene, the detective will not collect any physical nor photographic evidence.
4. When forensics support is not necessary, the detective will search for, identify, document, and recover any physical evidence, including:
 - Fingerprints
 - Firearms, bullets and cartridge cases (submit for NIBIN analysis)
 - Gunshot residue (complete Gunshot Residue [GSR] kit as appropriate)
 - Body fluids
 - Notes
 - Any other items left at the scene
 - Take photographs of the crime scene, victim's injuries, any evidence, etc.
5. Determine if there were any cameras operating in the vicinity of the crime, and recover and review any film or videotape.
6. Conduct a neighborhood/area canvas to locate any additional witnesses.
7. In homicide cases, attend the autopsy at the Medical Examiner's office.
8. Confer with other officers (other detectives for similar cases; special units and beat officers who may be familiar with the area or suspects).
9. Conduct liaison with other jurisdictions and agencies to determine if they have pertinent information.
10. Contact any informants who may have information on the case.
11. Search computer databases for suspect or victim information:
 - Mugshot files
 - Fingerprint record file

- Warrants and served warrants file
- Narcotics Division files
- Department of Motor Vehicles (DMV)
- Police Records Information System Management (IBRIS) database
- City Tax Records
- Check other agencies' databases:
- Social services/welfare
- Corrections Facilities
- Virginia Employment commission
- Hospitals
- Virginia power
- Verizon Telephone

12. Work with the victim and/or witnesses to make a composite likeness of the suspect from the computer sketch program.

13. Submit appropriate cases to Crimestoppers for publication and reward information.

14. Make and distribute wanted posters with the suspect's information and photograph or composite likeness.

15. Maintain contact with victim and/or family and keep them advised of the progress of the investigation.

16. If all leads are exhausted and case is at a dead end, "staff" the case (meet with other detectives and supervisors to review all aspects and attempt to come up with new leads).

17. Consider the use of the Multi-jurisdictional Grand Jury to assist in the investigation (such as compelling and/or locking-in testimony from reluctant witnesses). When a possible suspect is identified, prepare photo spreads and/or physical line-ups for the victim and/or witnesses.

18. When a suspect is identified:

- If the suspect is cooperative, consider a preliminary interview to obtain a confession or admissions.
- If probable cause is established, obtain arrest warrants (or confer with the Commonwealth Attorney to determine whether the evidence is sufficient, and whether to direct indict).
- Locate and arrest the suspect; or prepare wanted posters.

19. Once the suspect is arrested, conduct an interview to obtain a confession or admissions.

20. Attempt to locate and interview any alibi witnesses.

21. Assist the Commonwealth's Attorney's Office in preparing the case for court. Contact the victim/witness assistance office if it becomes necessary to relocate or otherwise assist witnesses.

NEXT OF KIN NOTIFICATION

All members of the Major Crimes Division will work together to ensure that timely notification of next of kin is made to family members when a death is involved.

INVESTIGATIVE SUMMARY REPORTS AND CASE DISPOSITION FORMS

An Investigatory Summary Report must be completed on every homicide, as well as any other significant crime. This form is also used for case updates and arrests. The Incident Report must

be completed and distributed prior to ending duty. A Case Disposition Form must be completed following the final adjudication of court cases.

VICTIM LIFESTYLE SHEET

On all homicides, the Victim Lifestyle Sheet must be completed in Case Management within five days after the homicide.

CASE FOLDERS

Complete case folders must be prepared on all homicides. Electronic case files are also maintained in Case Management. All case attachments, e-mails, photographs, investigative reports, forensic reports, lab results are placed in Case Management as attachments. The folder is due to the detective's supervisor ninety days after the homicide. The folder is then reviewed by the supervisor. The folder must contain all the original documents in the detective's possession, to include the original Incident Based Report (IBR), supplement, and detective's supplement. Still photos and videotapes of the crime scene must be included in the folder. The detective will maintain a duplicate copy of the folder, and may sign out the original folder when it is needed for court or other reasons. Prior to obtaining indictments on any homicide case the folder is first submitted to the supervisor for a critical review prior to being turned over to the Commonwealth's Attorney's Office for prosecution.

TEN-DAY RULE

Detectives must have an IBR supplement on each assigned investigation completed within ten days of receiving the report. The supplement must outline the detective's actions on the case, and recommend a disposition.

UPDATING INCIDENT BASED REPORTS (IBR)

When the status of a case changes, detectives will complete an updated supplement recommending the "status" change in PISTOL Case Management and advise his/her supervisor that the supplement needs to be reviewed. The supervisor will update the "status" in PISTOL Case Management and make the appropriate entries on the supplement review.

HOMICIDE CASE REVIEW

Every Homicide is reviewed within seven days of the incident. This review is conducted with the Violent Crimes Lieutenant, Violent Crimes Sergeant, Forensics Sergeant, Case Detective and Forensics Detective. After this review, a supervisory supplement is placed in PISTOL. This supplement outlines a list of tasks to be performed, follow-ups, etc. Once this review is complete, Violent Crimes Sergeants are required to meet with the next-of-kin of the Homicide victim. This is done so that the victim's family has a secondary point-of-contact with the Department. The meeting is documented as a supervisory supplement in Pistol

Violent Crimes Sergeants are required to review each Homicide investigation quarterly. After the review, the supervisor will generate a Supervisory Supplement in PISTOL. The final review done in the fourth quarter is a comprehensive review of the entire case.

COLD CASE INVESTIGATIONS

PURPOSE:

The purpose of a cold case squad is to reduce the backlog of unsolved homicide cases, to provide closure to the victim's family, to relieve years of frustration rising from law enforcement's previous inability to resolve the death of a loved one, to prevent other murders by taking violent offenders off the street and to instill a sense of justice in the community. It also gives us the opportunity to present the community with a positive image of police who never stop caring about unsolved cases. Even clearing previous suspects from suspicion can be helpful, both to the victim's families and those wrongly suspected or accused.

INTRODUCTION:

A cold case refers to a crime that has not been solved and may not be the subject of current criminal investigation, but for which new information could plausibly arise. New technical methods developed since the offense occurred can be used on the surviving evidence to reanalyze the causes, often with conclusive results. For the purposes of the Richmond Police Department and the Cold Case Squad, a cold case is defined as a homicide that was not initially closed and has been reassigned to a Cold Case homicide detective to pursue new leads. This distinction is important because all other crimes (including serious felonies like rape, robbery and assaults) remain assigned to the detective that was originally assigned to the case; the detective that would maintain all investigative files.

Cold case homicides are typically the most difficult cases to investigate. If there was sufficient physical evidence or witness information available the original investigator would most likely have cleared the case. The resolution of cold cases is primarily rooted in an investigator's ability to identify, locate, and secure the testimony and cooperation of witnesses and informants. Cold case investigations place particular emphasis on securing the participation of previously unknown or uncooperative witnesses. The passage of time makes the work of a cold case more difficult because locating witnesses can be difficult years or even decades after the crime. In addition, witnesses and informants may have faulty recollections. Faced with such uncertainty prosecutors may decline to go to trial with what is perceived as unreliable witness statements. However, the passage of time may also provide some benefit to the investigator. Witnesses may no longer feel intimidated by suspects, a suspect may boast about the crime to others, the relationship between suspects and witnesses may also have changed, a witness who is later charged with a crime may want to provide information to secure a plea agreement or the suspect himself may have been killed and witnesses are more likely to talk about the murder after his or her death.

Forensic analysis and investigative techniques have improved in recent years. Today we have investigative methods and resources that were not available to investigators in the past. DNA analysis is widely considered the most important new tool but other technologies such as AFIS

(Automated Fingerprint Identification Systems), cyanoacrylate fuming method (“superglue” fingerprint systems that allow investigators to lift prints from surfaces previously considered unprintable) and systems that use lasers to lift fingerprints are also techniques that may yield results when applied to evidence collected from past murder scenes.

Publicity surrounding an arrest in a cold case may lead to increased public awareness of unsolved murders and to additional information when new or previously unknown witnesses come forward. A cold case squad, however, requires sufficient staffing and resources to properly investigate cold homicide cases. A cold case squad’s success in closing cases and encouraging other investigations may actually hamper its effectiveness if resources for pursuing a flood of additional leads are not available.

CASE SELECTION:

Case selection is the single most important factor in ensuring the long-term success of a cold case homicide unit. Choosing the wrong cases or assigning too many cases will make an already difficult task impossible. Cases should be selected based on practical criteria such as the ability to subject original evidence to new forensics examinations, the identification of new witnesses or the discovery of new evidence or information.

The Richmond Police Department’s Cold Case selection process:

Homicide cases may be referred to the Cold Case Unit from a variety of sources such as:

1. Investigators who receive *significant* new information on an unassigned homicide case from reliable informants or from interviews with inmates and other criminal suspects. If possible this information should be checked for accuracy and verified before referring a case.
2. Investigators who develop *significant* new information on an unassigned homicide case while working on another case.
3. Prosecutors or investigators from other law enforcement agencies who locate a new witness or develop *significant* new information about an unassigned homicide case.
4. Supervisors from the homicide unit may request that a case more than one year old be reassigned to the unit if the original investigator has retired, left the department or been permanently transferred out of the investigative division of the police department.

All potential cold homicide cases will be referred to the supervisor of the unit for review. The supervisor (or a cold case detective if directed to do so by the supervisor) will use the following criteria to determine if the case is a good candidate for investigation by the Cold Case Unit.

1. There is some *significant* new evidence or evidence is discovered that was unavailable to the original investigator.

2. Original evidence can be subjected to new examinations, such as DNA or ballistic tests, which were not available at the time of the murder. *(Ensure that the original evidence has been retained and is it available for examination and use at trial).
3. A new witness has been identified who has *significant* information and can testify at trial. (Keep in mind that the Richmond Commonwealth Attorney's Office will likely decline prosecution of a case if the witness is a criminal defendant who is seeking a sentence reduction or other consideration in exchange for testimony)
4. There is some *significant* evidence that was overlooked by the original investigator that may change to outcome of the investigation or lead to an arrest.
5. The case has some particular community importance. (Such as the murder of a child, a serial or spree killer, etc...)

If one or more of these circumstances exist, a case may be considered for investigation by the Cold Case Unit. The supervisor of the unit will review the case and determine if it will be assigned to a detective for investigation. In addition to the above criteria the supervisor will consider other factors such as detective case loads, solvability factors and the willingness of the Commonwealths Attorney Office to prosecute when determining if the case is a candidate for investigation by the Cold Case Unit.

The team concept will be utilized in working cold case homicides. However, any case that appears to be a candidate for re-assignment to the Cold Case Unit will be assigned to a lead detective. The original case file will be retrieved from the file room, reviewed and maintained by the detective assigned. Information will be entered in PISTOL under the original report number assigned at the time of the murder and it will be re-assigned to a cold case detective. That detective will attach an investigative report detailing the progress of the investigation and update the report as necessary. If all investigative leads have been exhausted and the case cannot be cleared by arrest or exceptionally cleared, the file will be returned to the file room and the case will be inactive unless more evidence is developed. A case may be exceptionally cleared if the suspect for which there is probable cause to arrest has either died, was convicted on other charges and is serving a substantial prison sentence or cannot be prosecuted because of some mental or physical incapacitation. A letter from the Richmond Commonwealth Attorneys Office is required to exceptionally clear a homicide.

COLD CASE INVESTIGATION:

Since there is no longer a crime scene available, a cold case investigation usually begins with the original case file. After reviewing the investigator's report, witness statements, forensics evidence, crime scene reports, photographs and other documents the cold case investigator may still need to contact the original investigator (if possible) and obtain any notes that they may have that are not in the case file. All available evidence is assessed for future usability and additional

analysis. The cold case investigator must then contact the property & evidence section and determine if the original evidence has been retained and that it is available for examination and use at trial.

The original witnesses should be located and re-interviewed before the case can go to trial to ensure that they are still willing to cooperate and that they can still testify to the facts as they did during the original investigation. Many times witnesses have moved far away and some travel may be involved. Others may be incarcerated and will have to be interviewed in jails and prisons throughout Virginia or other states.

The cold case investigator may need to reconstruct the crime. This may be accomplished by studying the crime scene diagrams and photographs but in some cases the investigator may need to re-visit the crime scene. If this occurs, keep in mind that neighborhoods, streets, buildings and undeveloped areas may have changed since the crime occurred.

Homicide cases will be assigned to a lead investigator but the team concept will be utilized whenever possible. The lead investigator will be responsible for the overall direction and documentation of the case but other detectives in the cold case unit will assist as needed. Cold cases will be documented in the same manner as all other homicide case; all investigative actions and activities will be recorded within PISTOL and the detective's case folder. Although assigned to a lead investigator, some particularly difficult cases may be reviewed by the entire cold case unit. The unit will then formulate an investigative plan and each step will be assigned to an individual detective. When all investigative leads have been completed the unit will meet again to review the evidence and decide on the next step.

10 Steps to Re-Opening a Cold Case

Step 1

Do not choose a case at random. Pick a case with potential. Read the entire file and if necessary re-organize the file. At this point the investigator needs to get over the "Why didn't they do this" syndrome. The fact is work not done at the time and on the scene cannot now be done. Work done wrong or in violation of some procedure or law cannot be un-done. Get over it and move on with what you have.

Step 2

Review all the physical evidence personally. Don't assume the evidence is still in the property room. Go check it personally, this will avoid a lot of work if the evidence is no longer available or has been destroyed. Determine if all forensics testing was done or if new technology (DNA, NIBIN, AFIS, etc...) allows for re-testing of the evidence. Contact the original investigator if possible. Many times they will have information, notes and documents that were not included in the case folder that they turned in to their supervisor.

Step 3

Involve a prosecutor. The law changes and the court's interpretation of the law changes constantly (e.g. Miranda, Search and Seizure). Since they will be prosecuting the case, their input is valuable.

Step 4

Investigate and locate the person who benefited the most from the victim's death. Sometimes, after wills have been probated and estates settled, new suspects come to light years later.

Step 5

Re-do background checks on all people you will be contacting. Their status with the Criminal Justice System could have changed. Just because they were fine upstanding citizens 10 or 15 years ago doesn't mean they are now. They may be in prison, under indictment or on probation. This is a tactical and safety issue for the investigator. Utilize all sources for these checks including Probation and Parole.

Step 6

Review the Medical Examiner's file. If the M.E. who performed the autopsy is no longer working there contact the OCME well in advance of the trial. Someone will have to testify (medically) as to cause of death and that person will need time to review the file before testifying.

**The investigator can accomplish these first six steps alone and within the "police atmosphere". From this point on legwork is involved outside and in contact with witnesses and potential suspects. With safety in mind, always, outside work should be done with a partner when ever possible.*

Step 7

Contact the victim's family first, as a courtesy. Be prepared to explain the new activity in the case. These people have learned to cope with the loss and now you are re-opening old wounds. At the same time be aware of the statistical probability of family involvement in the murder.

Step 8

Begin witness interviews with peripheral or fringe witness first. This will give you insight into relationship changes and players involvement with the justice system. With the passage of time witnesses who were initially uncooperative may be persuaded to cooperate. Changes in the relationship between witnesses and suspects, legal trouble for a witness or a desire to clear ones conscious may work to our benefit. After contact is made with family and/or witnesses the element of surprise is gone.

Step 9

The next logical step is to interview major or core witnesses utilizing the information gained in the previous eight steps. Communication skills are paramount for a cold case investigator. If there was enough physical evidence to arrest a suspect it would have been done by the original investigators. In the absence of new DNA analysis, most cold cases are cleared by information from witnesses or suspect statements.

Step 10

At this point you should have developed at least one viable suspect. It is time to approach him or her and take your best shot. Contact the Commonwealth Attorney first and discuss your options. If you have enough probable cause to get a warrant, do so. In most cases you will have more leverage with a suspect and the likelihood of getting a confession, incriminating statements or a denial that can be discredited is greater if you charge the suspect with the murder before the interview.

PERFORMANCE MEASURES:

The most visible measure of a cold case squad's effectiveness is the number of cases it solves. Other internal and external gauges include the number of investigations handled by the squad; the number of resolutions (although a resolution may not result in arrest); the number of successfully prosecuted cases and the number of families who achieve some measure of justice or closure by the squads' ability to provide information on the death of offenders or long-term incarceration on other offenses.

FORCE INVESTIGATION TEAM (FIT)

PURPOSE:

To establish a unit and procedures to ensure fair, impartial, thorough, and professional criminal investigations of the actions of Richmond Police Department officers following a use of deadly or serious force.

OVERVIEW:

The City of Richmond is a thriving urban center with a resident population of approximately 200,000. It serves not only as the capital of Virginia, but also as a regional focal point for commerce, education and the arts. The city's rich history makes it an attractive stop for visitors and tourists. The city is made up of a number of diverse neighborhoods, each with its own unique qualities. Three major universities: Virginia Commonwealth University, the University of Richmond and Virginia Union University are all located within the city and serve as strong community anchors.

The Richmond Police Department (RPD) serves as the primary law enforcement agency within the City of Richmond. The RPD is committed to providing the highest quality of police service to the residents of and visitors to the City of Richmond. The Department recognizes that the provision of police service is multi-faceted and is not limited to the prevention and investigation of crime and the apprehension of offenders. The Department strives to address not only the actuality of crime, but also the perception of crime and the fear that this perception may engender.

The RPD is committed to working with the multitude of existing and potential partners within the city to establish public safety and quality of life goals, developing action plans to meet those goals, implementing those plans, monitoring their progress, making necessary adjustments and communally celebrating successes.

The partnerships the Department seeks must be grounded and based in mutual trust if they are to succeed, and the community as a whole must possess an inherent trust in the Department to carry out its most profound responsibilities lawfully and honorably. These profound responsibilities include the power of arrest and the authority to use force, including deadly force, in the fulfillment of its mission.

In the past several years an erosion of the community's trust has potentially occurred regarding the Department's involvement in the use of deadly force situations. Several incidents where deadly force has been used have resulted in prosecutions of police officers. These prosecutions, which have resulted in several mistrials, have abetted the potential erosion of trust. In the past, others agencies have also been asked to conduct selected use of force investigations involving RPD members causing another potential erosion of trust.

In February 2005, Rodney D. Monroe was appointed Chief of the Richmond Police Department. Chief Monroe immediately realized that controversy and potential or actual mistrust were associated with the use of deadly force by members of the department. The Chief took a number of actions to address this issue. They include:

- An immediate referral of previous uses of force and the existing use of force policy to the Department of Justice for their review and recommendation.

- Establishment of the Department's Major Crimes Unit as the primary investigator of the criminal aspects of use of force investigations and the Department's Internal Affairs Division as the primary investigator of the administrative aspects of use of force investigations.

- Consultation with and engagement of the Police Consortium in the development and application of a revised use of force policy.

- Development of a revised Use of Force Policy adopted in September of 2005.

- Revision of the Department's training curriculum to insure that each member received specific use of force training twice yearly.

The establishment of the proposed Force Investigation Team guidelines and the establishment of a formalized relationship with the Commonwealth's Attorney's Office to jointly investigate and evaluate uses of force are logical next steps in the development of use of force protocols that are above reproach and engender confidence within the Department, in the courts and most importantly in the community that entrusts the Department and its members with this profound responsibility.

ORGANIZATION:

The Force Investigation Team is a special unit which comes together when needed. The Force Investigation Team is comprised of members of the Internal Affairs Division, the Richmond Police Major Crimes Division, to include the Cold Case Homicide Squad and the Forensics Unit. The Use-of-Force instructor from the Training Academy will serve as an advisory member. The Officer-in-Charge of the Internal Affairs Division will serve as the Officer-in-Charge of the Force Investigation Team. To ensure impartiality, the Force Investigation Team is assigned directly to the Chief of Police. A prosecutor from the Richmond Commonwealth's Attorney's office will serve as a dedicated liaison to the team and will report directly to the Commonwealth's Attorney.

POLICIES:

The Force Investigation Team is responsible for conducting criminal investigations of all uses of deadly force by members of the Richmond Police Department. Deadly force is defined as any use of force that is likely to cause death or serious physical injury (see General Order 1-5).

The Force Investigation Team will also investigate any use of force which results in life-threatening or serious physical injuries to a subject. Serious physical injuries are defined as any injury that could result in disfigurement, disability, serious bodily harm, or death (see General Order 1-5).

The Force Investigation Team is also responsible for investigating all deaths of prisoners while in police custody.

The team is available for on-duty or callback response on a twenty-four hour/seven day-a-week basis.

PROCEDURES

General Procedures

The Force Investigation Team will conduct all criminal investigations in accordance with standards, policies and procedures established for criminal investigations by the Richmond Police Department.

In addition to the criminal investigation conducted in accordance with this document, the Richmond Police Department Internal Affairs Division will conduct an administrative investigation of an officer's actions as they relate to department policy for the use of force. This investigation will be done following the conclusion of the criminal investigation.

In instances of use of force incidents occurring outside the City of Richmond, the criminal investigation of the incident is the responsibility of the law enforcement authority of the jurisdiction of occurrence. The Force Investigation Team will not be involved, and the Internal Affairs Division will conduct the administrative investigation.

Standard on-call procedures for the Major Crimes Division, the Internal Affairs Division, the Forensics unit, and the dedicated Commonwealth's Attorney liaison will be utilized to call out the Force Investigation Team.

Investigative Procedures

Most incidents of police use of deadly force generate a large response of police personnel, medical and fire personnel, media, and bystanders. The presence of multiple supervisors and commanders necessitates that clear command and control must be established as soon as possible, to ensure that all necessary procedures are followed and documented.

The Force Investigation Team shall be in charge of the entire incident scene and investigation.

- Forensics technicians shall respond and be responsible for evidentiary crime scene processing. The Forensics technician handling the scene shall be required to coordinate all evidentiary matters with the lead Force Investigation Team investigator throughout the investigation.
- The prosecutor from the Commonwealth's Attorney's office will be informed of all information and will provide legal advice and assistance to further the investigation.
- The Use-of-Force instructor from the Training Academy will provide advice and assistance concerning the subject officer's actions as they relate to policy and training issues.

In most instances, there is an underlying crime by a suspect which led to the police use of force. The investigation of that crime will be done by the detectives who normally investigate such crimes (robbery detectives, burglary detectives, etc). However, members of the Force Investigation Team reserve the right and authority to assume full control of any criminal investigation related to any force incident. The Commonwealth's Attorney liaison, however, will not consult on the underlying crime. He or she will assist only in the investigation regarding police use of force.

The Lieutenant or Captain of the Internal Affairs Unit will serve the officer with the PD-79 to withdraw or restrict the involved officer(s)' police powers, and will determine what the duty status of the officer will be (administrative leave, suspension, normal duty, etc.).

PROTECTION OF CONSTITUTIONAL RIGHTS DURING INTERVIEWS

All officers who are the subject of a use of force investigation by the FIT will be advised of their Constitutional Rights as set forth in *Miranda v. Arizona*, 384 U.S. 436 (1966).

The Detective questioning the officers will ensure that they are properly advised, and make a knowing and intelligent waiver of their rights, prior to any questioning. Execution of the Notification of Rights Form (PD-75) will serve as evidence that involved officers knowingly, voluntarily, and intelligently waived their rights. Reading the admonition stated on the Notification of Rights card (PD-74A) will also meet the requirement, but the burden will fall on the detective to establish that the officer understood that questioning was being done under *Miranda* protection and not administrative compulsion, and that the officer made a knowing, voluntary, and intelligent waiver. The Force Investigation Team will not be allowed to review, make copies of, or obtain information from the Use of Force Report (PD-35) or the Firearms Discharge/Assault Report (PD-10) unless the officer preparing the forms has waived his Constitutional Rights and agrees to the forms being given to the Force Investigation Team for use in the criminal investigation. Under no circumstances will questioning continue if an officer invokes his right to remain silent, or his right to counsel, until the officer is allowed to confer with his counsel. If, during the initial interview, after admonition of his rights, the officer admits or confesses to an unrelated crime, the detective will give additional rights admonition for that specific crime. The detective will ensure that the officer makes a knowing, voluntary, and intelligent waiver of his rights for the unrelated crime.

Preliminary Report

Prior to the end of the call-out or tour of duty, the lead investigator will ensure that a preliminary report on the incident is completed and forwarded to the Chief of Police. The report will contain, as a minimum, the following information:

- Name of lead investigator
- Date of report
- IA case number
- IBR number
- Type of incident
- Names of involved officers
- Incident date, time, and location
- Synopsis of the incident
- Investigator's actions to that point
- Remaining investigative actions to be completed
- Names of RPD officials that were notified
- Personnel action taken concerning subject officers, including their duty and pay status
- Preliminary recommendation from investigator

Case Folder

The Force Investigation Team will complete a standard Richmond Police Case Folder for every incident. Electronic case files will also be maintained in the Case Management module in the

PISTOL database. All case attachments, e-mails, photographs, investigative reports, forensic reports, lab results will be placed in the Case Management module as attachments.

The folder is due to the lead investigator's supervisor twelve days after the incident. The folder must contain all the original documents in the detective's possession, to include the original Incident Based Report (IBR), supplement, and detective's supplement. Still photos and videotapes of the incident scene must be included in the folder. The detective will maintain a duplicate copy of the folder, and may sign out the original folder when it is needed for court or other reasons.

The folder will normally include, but not be limited to:

- Incident Based Report (IBR) and supplements.
- Investigative Summary
- All officer and witness statements
- Miranda Waivers
- Canvas results.
- 911 tapes and transcriptions.
- Criminal history information on all subjects of the use of force and witnesses.
- Forensics and laboratory reports.
- Photographs.
- If applicable, copies of any search warrants and affidavits, arrest sheets, and report of significant arrest.
- If applicable, Suspect Information Sheet and/or Person of Interest Information Sheet.
- Case disposition form.

When the status of a case changes, detectives will complete an updated supplement and give the updated supplement to their supervisor for filing.

Forensics Procedures

Incident scenes of a use of deadly or serious force shall be handled and processed as crime scenes.

Weapons Handling

- Police Officers who have discharged their weapons are to decock and holster them and snap them in, and surrender them to the Support Supervisor assigned to them.
- The Support Supervisor will take possession of the entire equipment belt from the officer. The supervisor will do nothing to the firearm; except that if the firearm has not been decocked and/or holstered and snapped in, the Support Supervisor will do so.
- The Support Supervisor will maintain personal possession of the equipment belt until he/she surrenders it with the firearm still holstered to the assigned Forensics Technician. The Support Supervisor will advise the Forensics Technician if he had to decock it or otherwise change the condition of the firearm.

- The Forensics Technician will be responsible for all further examination and documentation concerning the firearm, including counting the number of remaining rounds.

Processing the scene

- Approach the scene
- Secure and protect the scene and evidence
- Preliminary survey
- Narrative description (notes)
- Photograph scene and evidence -- photograph all involved officers, as well as all subjects, to include all injuries.
- Photograph all involved weapons. In conjunction with the lead investigator, account for all rounds fired, and count all ammunition remaining in each involved officer's possession.
- Video tape
- Sketch scene
- Evaluation of fingerprint evidence
- Evaluation of physical evidence
- Detailed search
- Determine if there were any security cameras operating in the vicinity of the crime, and recover and review any recordings
- Collection, recording, marking, and preservation of evidence
- Final survey to insure conditions of crime scene are thoroughly documented
- Release crime scene

Evidence processing and submittal

- The Mobile Crime Scene Report must be compiled on the Technician's first tour of duty after completing any road call assignment.
- Evidence recovered from the crime scene will be either processed in the Richmond Police Forensic Laboratory or properly packaged and delivered to the State Laboratory for further testing.
- Evaluate evidence for latent prints and process for same. All firearm, trace, forensic biology, etc. are packaged according to DCJS and Virginia Division of Forensic Science guidelines and Submitted with Form DFS-70-001 Request For Laboratory Examination (RFLE)
- Prior to submitting evidence to the State Laboratory, a copy of the RFLE must be made and placed in a file in the office of the Forensic Unit supervisor
- When a response from the State Laboratory is received, place a copy in the file with the copy of the original.

Courtroom and Case Preparation

- Prepare sketches of incident scene (enlarged and to scale).
- Prepare latent display boards.
- Ensure all items of evidence have been submitted, tested and prepared for Courtroom display.

Follow-up Investigation

The Force Investigation Team will meet within two business days after each incident, and weekly thereafter, to consult regarding all assigned investigations. The Commonwealth's Attorney liaison should attend such meetings. The purpose of the conference is to assess the investigation at each critical point. Specific tasks to be performed will be identified and assigned along with due dates and follow-up procedures for each. The term "consult," means a full exchange of information in a timely manner between the parties, intended to consider the parties' findings, opinions, and issues concerning the investigation. This exchange of information shall include, but not limited to, preliminary investigative files, reports, statements, photographs, and other items of evidence.

In accordance with requirements of the 5th Amendment to the U.S. Constitution and *Garrity v. New Jersey*, 385 U.S. 493 (1967) and related cases, no compelled administrative interview, form, or other information will be provided by the Richmond Police Department to the Force Investigation Team or any members of the Commonwealth's Attorney's Office, unless the officer has waived his 5th Amendment rights. The Richmond Police Department follows the procedures set forth in Operations Order 113-3 concerning Garrity rights and administrative investigations of police officers.

The Commonwealth's Attorney's Office shall respond to a written request by the Richmond Police Department for charges, declination, or prosecutorial opinion within seven (7) business days of the written request, by either stating the intention to pursue prosecution, providing a letter of declination, or indicating the Commonwealth's Attorney's Office's intention to continue the criminal investigation. To further ensure impartiality, the Commonwealth's Attorney's Office will frequently request that an outside, independent prosecutor review the case and conduct the courtroom prosecution of any Richmond Police officers who are charged criminally as a result of an on-duty or line-of-duty use of force. The Commonwealth's Attorney's office reserves the discretion to retain for prosecution any case resulting in criminal charges against a police officer.

Following a use of deadly force, an officer will routinely have his police powers withdrawn or restricted. In most cases, the officer will also immediately be placed on administrative leave, although the Chief of Police will decide on the nature of the officer's assignment and may decide on a different duty status which does not involve the use of police powers.

The Chief of Police may reevaluate the duty status of the involved officer during the investigation. If the criminal investigation has not concluded, the RPD will consult with the Commonwealth's Attorney's office prior to bringing an officer back to duty in either a non-sworn or sworn capacity. No officer will be returned to duty of any type until the officer has been evaluated by the staff psychologist and the psychologist states that the officer is ready to return.

WITNESS PROTECTION FUNDS

PURPOSE:

To establish guidelines for the management of Witness Protection Funds to be used for witness protection and for the relocation of witnesses who are prepared to testify in court.

PROCEDURE:

The Major Crimes Division is allocated Witness Protection Funds to cover witness related protection expenses. These funds are managed by the Commander of the Major Crimes Division. Most of the funds are stored in an account at the Richmond Police Department Credit Union. The Lieutenants in charge of the Homicide Unit and the Major Crimes Unit have access to a portion of these funds. Funds within the Division are secured in a safe.

Expenditures are approved by the Commander or Lieutenant (above) after consultation with the Commonwealth's Attorney's Office. Verification must be made that the witness in question will in fact testify and/or cooperate with the investigation.

All expenses in excess of \$300.00 require receipts. These receipts will be attached to the D-10, Expenditure of Official City Funds. The D-10 is a Divisional form that includes case information, witness identification, and signature blocks for the requesting detective, the approving supervisor and the receiving witness.

The following procedure is used:

- The Detective needs funds for a witness related expense.
- The Detective meets with the Detective Sergeant.
- An evaluation is made of the need for the expenditure, as well as any anticipated future expenditures.
- The Detective Sergeant determines whether or not the expenditure is justified.
- If justified, the Detective Sergeant will complete a D-10.
- The D-10 is submitted to the approving authority and funds are obtained.
- The D-10 is returned (with receipts if necessary) to the supervisor within 48 hours for signature.
- The D-10 is then submitted to the Lieutenant for review.
- The D-10 is then turned in to the Commander so that the expenditure can be cleared.
- Copies of the D-10 are to be scanned and added into Case Management.

This fund is audited quarterly by the General Counsel's office.

SECTION D FORENSICS UNIT

PURPOSE:

To establish operational procedures for the Forensics Unit.

FORENSICS UNIT:

The Forensics Unit is primarily responsible for processing crime scenes, evidence collection and for all facets of identification and latent prints. The Forensic Team is available on a 24- hour basis to process crime scenes.

CRIME SCENE TECHNICIAN/DETECTIVE'S RESPONSIBILITIES:

- **ROAD CALL ASSIGNMENTS**

The Forensics personnel on-call will respond to a crime scene:

- When requested by a supervisor on scene.
- When requested by a Major Crimes Detective.
- Any other call-out at the discretion of Forensics personnel.

- **BASIC STEPS FOR CRIME SCENE PERSONNEL**

- Approach the scene
- Secure and protect the scene
- Preliminary survey
- Narrative description (notes)
- Photograph scene and evidence
- Still photography
- Digital photography
- Video tape
- Sketch scene
- Evaluation of fingerprint evidence
- Evaluation of physical evidence
- Detailed search
- Collection, recording, marking, and preservation of evidence
- Final survey to insure conditions of crime scene are thoroughly documented
- Release crime scene
- Identification of victims, in order to make timely next of kin notification in situations where a death has occurred.

EVIDENCE PROCESSING AND SUBMITTAL

- All items recovered from the crime scene are processed in the Richmond Police Forensic Laboratory or properly packaged and delivered to the State Laboratory for further testing.
- Evaluate items for latent prints and process for same. All firearm, trace, forensic biology, etc. are packaged according to DCJS and Virginia Division of Forensic Science guidelines and Submitted with Form DFS-70-001 "Request for Laboratory Examination" (RFLE). If a large number of items are being submitted to the State Laboratory for

analysis, a collaborative meeting/conference will be held to determine what items are the most “probative” for the first submission.

- The meeting/conference will include the lead detective, the assigned Commonwealth Attorney, and a supervisor from the Department of Forensic Science. The attendees will work in partnership and jointly decide which items are submitted to the State Laboratory.
- Prior to submitting items to the State Laboratory, a Xerox copy of the RFLE must be made and placed in a file in the office of the Forensic Unit supervisor
- When a response from the State Laboratory is received, a copy is to be placed in the file with the copy of the original.

COURTROOM AND CASE PREPARATION

- Prepare case folders for court and update case management.
- Prepare all sketches of crime scene (enlarged and to scale).
- Prepare latent display boards.
- Ensure all items of evidence have been submitted, tested and prepared for Courtroom display.

MOBILE CRIME SCENE REPORT

- This form must be compiled on the Detective's or Technician's first tour of duty after completing any road call assignment.

DAILY ARREST AND FINGERPRINT DUTIES

Retrieve arrest packets from Sheriff Office, Detention Section

- Check computer to determine repeat offender arrests.
- Separate repeat offender arrests.
 - Retrieve fingerprint cards from master file.
 - Compare new arrest print card with card from master file.
 - Insert OCA and SID numbers onto arrest sheets.

Log and update all information into PISTOL system.

- For first time offenders, assign the next available OCA number and insert onto arrest sheets and accompanying cards. Log all information onto Data General program and PISTOL system.
- All arrest sheets are then delivered to Data Operations.

- Re-file all fingerprint cards in appropriate locations.
- Maintain and update daily record of arrest packets processed, recording number of repeat offenders, number of first time offenders, and last O.C.A. number assigned.

Other duties associated with the Daily Arrest and Fingerprints Duties are:

- Identifying alias names, check arrested party for outstanding warrants under alias names, immediately notify the Sheriff's Department.
- Compile "Alias Name - Fingerprint Match" form and forward to original arresting officer.

AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS)

- "Only persons assigned an AFIS Operator I.D. and password by the State Operations Committee shall have access to the AFIS equipment."
- "All AFIS operators shall follow established AFIS Procedures. They shall operate the equipment in accordance with the instructions provided by the State AFIS personnel."
- Forensic Personnel assigned and operator I.D. and a password are responsible for the following functions utilizing AFIS.
- Latent processing.
- Tenprint processing.
- Local card additions.

Forensic Personnel utilizing AFIS are responsible to follow all reporting procedures set forth by the State of Virginia, in regards to reporting Hits on system

CRIME LABORATORY DUTIES

LATENT PRINT PROCESSING

- It is the responsibility of the assigned Forensic Personnel to retrieve and process property from the Property Room that has been submitted as evidence to be examined for latent prints.
 -
 - After processing evidence: Log results in proper log book.
 - File any latent prints in proper file.
 - Complete form to notify submitting Officer of examination This will be placed in PISTOL under the Case Management Forensic Folder.
- Return evidence to Property Room.

Latent Fingerprints

- All latent fingerprints must be submitted to the Forensic Unit in Drop box located in Headquarters Mailroom.
- The Latent Print Examiner will examine the latent fingerprints to determine if they are of such quality that will allow them to be entered into AFIS (Automated Fingerprint Identification System)
- If the fingerprints can be entered into AFIS, the Latent Print Examiner will enter them into the system. A copy of the examination form will be placed in PISTOL under Case Management attachment-Forensic Folder.
- If the Latent Print Examiner determines the latent fingerprints are comparable quality but not of sufficient quality to be entered into the AFIS system, they will be filed within the AFIS Room. Upon receiving the fingerprints, the Latent Print Examiner will note same in PISTOL Case Management attachment-Forensic Folder.
- If the Latent Print Examiner determines the latent fingerprints are not of comparable quality, it will be noted in PISTOL, Case Management attachment- Forensic Folder. The card will be kept for a period of three years and then destroyed.

NON-LATENT RELATED DUTIES

- Biological evidence detection best method possible.
- Footwear and Toolmark impression casting.
- Maintenance of BioHazard. Laboratory and contents.

EVIDENCE COLLECTION:

- The Forensics Supervisor is responsible for the notification to assigned Detective/Technician for pick up of evidence from VCU Medical Center Trauma/Emergency Room.
- Medical Examiners Office.

PHOTOGRAPHIC LABORATORY DUTIES

FILM DEVELOPMENT AND PRINTING

- Process and print all film submitted by Richmond Police Personnel.
- Process and print all film submitted by the Metro Aviation Unit.
- Creating line-ups for Richmond Police Personnel, as well as fulfilling requests from other agencies.

OTHER PHOTOGRAPHIC LABORATORY RESPONSIBILITIES

- Ordering, stocking, and disseminating film to all Richmond Police Personnel.
- Provide photographs for identification cards for all Police Officers, Commonwealth Attorney Office and Civilian Police personnel.
- Maintain photographs and negatives of all Police personnel.
- Maintain a file of all negatives of photographs submitted to the Photography Laboratory.
- Process and maintain negatives of all juvenile offenders.
- Adhere to maintenance schedule of all photographic development equipment.

OTHER DAILY OFFICE DUTY RESPONSIBILITIES

FILING OF LATENT PRINTS

- All Forensic Personnel have the responsibility to collect, receive, log and file latent prints using the following procedures:
- All latent received must indicate the standard who, what, when, where, and why information.
- Latent prints received must be logged in the Latent Log Book.
- Latent prints are assigned a consecutive number as they are logged.
- Latent prints from a single crime scene are to be placed in a manila envelope with proper information on envelope face, and placed in the proper file which is maintained in a strict numerical order.
 - Latent prints removed from file for extended periods, such as court, should be replaced by a card of equivalent size with notations as to who has the latent prints, the date, and any other pertinent information.

LATENT PRINT COMPARISONS

- Upon receiving a request for a latent print comparison, any qualified member of the Forensic Unit shall fulfill the request.
- Upon completion of the print comparison, the Examiner will complete the "Latent Print Comparison Results" form in order to document official notification of the results and to convey any information that may be of value to the submitting Officer.

EXPUNGEMENTS OF ARREST RECORDS

- Upon receipt of a Circuit Court order, the record of the subject will be extracted from the files of the Forensic Unit
- The records consist of:
- Master fingerprint card (white out date of expunged date).
- Mugshot negative or image of expunged date.
- Any other records from expunged date.

SECTION E

CRITICAL INCIDENTS RESPONSE PLAN

MAJOR CRIMES DIVISION RESPONSE TO A MAJOR INCIDENT

Preface

Violent crime investigations take place in numerous situations. There are very small crime scenes in confined areas with only a small amount of evidence. These require only a handful of personnel to secure, process, and investigate. There are also very large crime scenes with multiple victims and numerous pieces of evidence possibly spread over several blocks.

In the recent past, throughout the country, there have been several school and business shootings, involving several victims and witnesses. These situations are very chaotic in the early stages as they generate a large response of Law Enforcement Personnel, sometimes from several jurisdictions, Medical and Fire Personnel, Media, and family members.

There are also the unfortunate incidents where Police Officers have been the victims of violent crime. These generate almost the same response as other mass shootings, however, overwhelming numbers of Law Enforcement, from numerous Local, State, and Federal agencies, have flooded the area filled with a wide range of emotions.

These incidents pose several problems for the Detectives and for the Detective Supervisors. Due to the different variables present at the initial stages of these crime scenes and the need to apprehend the offender, basic crime scene procedures are sometimes delayed or even overlooked. Detectives and the Supervisors may have a difficult time actually locating the crime scene and determining what actually transpired. Gathering information can be difficult if there are numerous victims and witnesses giving information to several different officers. Also, the presence of multiple units within our own Department, the presence of officers from other jurisdictions, as well as the presence of several different supervisors from the rank of Sergeant up to the Chief of Police, can cause chaos as several supervisors attempt to direct different aspects of the investigation. Although most scenes are chaotic at the initial stages, these unusual circumstances can prolong the chaos if Command and Control is not established as soon as possible.

These situations require a far different approach and response than normal investigations.

The Rapid Deployment/Mobilization Strategy that follows will be utilized when enhanced manpower is needed.

Rapid Deployment/Mobilization Strategy for Major Crimes Division

The Major Crimes Division (MCD) Commander or designated Lieutenant will initiate the Rapid Deployment/Mobilization Strategy when situations arise (such as major fires, storms, floods,

unrest, etc.) that will require more manpower than normally scheduled. This response strategy ranges from Level One, requiring the hold over of on-duty personnel, to Level Three which may involve the call back of the entire Division over an extended period of time.

When the Rapid Deployment/Mobilization Strategy is implemented, an Emergency Voice Mail will be set up at 646-6742 (password – 0000). The message will contain the date and time the message was recorded, instructions, scheduling changes, reporting times, reporting locations and any other information necessary to ensure that all personnel are in the right place at the right time. This information will be updated as needed.

Notification will be made to each affected MCD employee by activation of the Division Alert Plan. Supervisors should have a copy of the Alert Plan available at all times. The Alert Plan will be tested periodically by a test call back.

Level One Response:

All personnel working will be held over to assist. Detectives may be required to handle patrol calls and, as such, shall have the necessary equipment and paperwork on hand at all times. Additional personnel may be called in as needed.

Level Two Response:

Required personnel will be divided into two twelve-hour shifts by unit number; odd numbers on one shift and even numbers on the other. The Commander will establish the schedule for each shift. Vacation days will be honored. Regular Days Off (RDO's) may be cancelled. Other Major Crimes staffing issues will be determined by the Commander.

Level Three Response:

The entire Major Crimes Division will be called back to duty utilizing the Alert Plan and Emergency Voice Mail. Required personnel will be divided into two twelve-hour shifts by unit number; odd numbers on one shift and even numbers on the other. The Commander will establish the schedule for each shift. An overlap in shift times may be necessary to facilitate briefing and staffing the next relief.

The Commander will determine the appropriate level response and when normal operations may be re-established.